

Message Text

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LIMITED OFFICIAL USE SECTION 1 OF 2 OUAGADOUGOU 4165

E.O. 11652: N/A
TAGS: SHUM, UV
SUBJECT: 1978 HUMAN RIGHTS COUNTRY REPORT: UPPER VOLTA

REF: STATE 212861

A. UPPER VOLTA. 1978 WAS A BANNER YEAR FOR HUMAN RIGHTS PROGRESS IN UPPER VOLTA. PRESIDENT LAMIZANA'S AUTHORITARIAN GOVERNMENT VOLUNTARILY RETURNED TO DEMOCRATIC-PARTICIPATORY NORMS, MAKING UPPER VOLTA A VERY RARE CASE INDEED. THE CHANGEOVER WAS ACCOMPLISHED BY OPEN AND FREELY CONTESTED LEGISLATIVE AND PRESIDENTIAL ELECTIONS. THE PRESIDENTIAL ELECTION WENT TO A SECOND BALLOT WHEN NOE OF THE FOUR CONTENDERS INCLUDING GENERAL LAMIZANA WON AN ABSOLUTE MAJORITY ON THE FIRST ROUND. OPPOSITION POLITICAL PARTIES CONTROL NEARLY ONE-HALF OF THE NATIONAL ASSEMBLY SEATS. FREE SPEECH AND OTHER CIVIL AND POLITICAL LIBERTIES ARE GUARANTEED AND ARE FULLY EXERCISED. UPPER VOLTA CONTINUES TO EMPHASIZE THE ECONOMIC RIGHTS OF ITS CITIZENS, TO DEVELOP PROGRAMS TO BRING WOMEN AND THE DIS-ADVANTAGED RURAL MAJORITY MORE ACTIVELY INTO ECONOMIC AND POLITICAL LIFE, AND FIRMLY TO SUPPORT HUMAN RIGHTS, BOTH CONCEPTUALLY AND IN PRACTICE.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. TORTURE:
TORTURE IS NOT PRACTICED IN UPPER VOLTA.
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B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT.
THERE IS NO SUCH TREATMENT OR PUNISHMENT IN UPPER VOLTA.

C. ARBITRARY ARREST OR IMPRISONMENT.
THERE HAVE BEEN NO REPORTED INCIDENTS OF ARBITRARY ARRESTS OR IMPRISONMENT IN RECENT YEARS, NOR ARE THERE ANY POLITICAL

PRISONERS IN UPPER VOLTA. FREEDOM FROM ARBITRARY ARREST OR IMPRISONMENT IS GUARANTEED BY THE 1977 CONSTITUTION AND IS RESPECTED IN PRACTICE.

D. DENIAL OF FAIR PUBLIC TRIAL

THE RIGHT TO A FAIR PUBLIC HEARING AND TRIAL IS OBSERVED.
THE RIGHT TO TRIAL IS GUARANTEED UNDER THE 1977 CONSTITUTION.

E. INVASION OF THE HOME.

THE HOME IS CONSIDERED INVIOABLE AND A SEARCH WARRANT CAN ONLY BE OBTAINED UNDER APPROPRIATE CONDITIONS SPECIFIED BY LAW.

2. GOVERNMENT POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION. THE RIGHT TO WORK, HEALTH CARE AND EDUCATION ARE GUARANTEED UNDER THE 1977 CONSTITUTION. GOVERNMENT ECONOMIC AND FINANCIAL POLICIES FOCUS ON IMPROVING THE CONDITIONS OF THE RURAL POOR-- ABOUT 95 PERCENT OF UPPER VOLTA'S POPULATION. MOST GOVERNMENT TAX REVENUES COME FROM PROPORTIONAL INCOME TAX, AND FROM DUTIES ON IMPORTS AND EXPORTS. THERE IS A NATIONWIDE MINIMUM WAGE. ONE OF THE WORLD'S POOREST NATIONS, UPPER VOLTA ACTIVELY SEEKS FOREIGN ASSISTANCE FOR ECONOMIC AND SOCIAL DEVELOPMENT. THE GOVERNMENT HAS DEVELOPED PROGRAMS WITH FOREIGN ASSISTANCE DONORS TO FULFILL BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE, EDUCATION, AND WOMEN IN LIMITED OFFICIAL USE

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DEVELOPMENT. A NEW MINISTRY OF SOCIAL AFFAIRS AND WOMEN'S CONDITION WAS CREATED UNDER THE NEW GOVERNMENT TO PROMOTE BETTER PARTICIPATION BY WOMEN IN THE NATION'S ECONOMIC, SOCIAL AND POLITICAL LIFE. A CONSTANT GOVERNMENT THEME IS THE PULLING TOGETHER OF UPPER VOLTA'S SEVERAL TRIBAL GROUPS TO WORK FOR NATIONAL SOCIAL AND ECONOMIC DEVELOPMENT. IN VIRTUALLY EVERY RESPECT, LAWS PROTECTING THE CITIZEN-- MALE AND FEMALE, RICH AND POOR, REGARDLESS OF TRIBAL AFFILIATION-- ARE OBSERVED IN PRACTICE.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY. THE 1977 CONSTITUTION GUARANTEES THE FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY, AND THEY ARE RESPECTED IN PRACTICE -- AS MOST RECENTLY DEMONSTRATED DURING THE ELECTIONS FOR THE NATIONAL ASSEMBLY AND PRESIDENT. THESE CIVIL LIBERTIES HAVE ALSO BEEN RESPECTED IN THE PAST. LABOR UNIONS OPERATE FREE FROM GOVERNMENT CONTROL AND THE RIGHT TO STRIKE IS GUARANTEED BY THE NEW CONSTITUTION THE FIRST MEETING HELD IN AFRICA BY THE EXECUTIVE BUREAU OF THE WORLD LABOR CONFEDERATION MET IN UPPER VOLTA THIS YEAR. VOLTAN GOVERNMENT LABOR MINISTRY OFFICIALS FELT THEIR NATION WAS CHOSEN FOR THIS EVENT BECAUSE OF ITS

DEMOCRATIC PRACTICES AND LABOR FREEDOM.

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B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL
AND EMIGRATION.
FREEDOM OF MOVEMENT IS UNRESTRICTED, AND THERE ARE NO
CONTROLS ON FOREIGN TRAVEL OR EMIGRATION.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS.
THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS GUARANTEED
BY THE 1977 CONSTITUTION WAS PUT TO THE TEST DURING THE
LEGISLATIVE AND PRESIDENTIAL ELECTION CAMPAIGNS AND BALLOTING
IN APRIL AND MAY OF 1978. OPPOSITION PARTY PLATFORMS, STATEMENTS,
AND ACTIVITIES WERE FULLY REPORTED ON THE GOVERNMENT RADIO AND
TELEVISION, AND IN THE PRESS. FOUR PARTIES FIELDDED CANDIDATES
FOR EACH LEGISLATIVE SEAT IN ALL TEN DEPARTMENTS OF UPPER
VOLTA, AND THREE OTHER PARTIES RAN CANDIDATES IN SELECTED
DEPARTMENTS. THE OPPOSITION GROUP IN THE NEW NATIONAL ASSEMBLY
HOLDS 28 OF THE TOTAL 57 SEATS. IN THE PRESIDENTIAL ELECTION,
GENERAL LAMIZANA-- HEAD OF THE OUTGOING MILITARY
GOVERNMENT WHO RAN AS AN INDEPENDENT SUPPORTED BY FIVE
PARIES-- FAILED TO WIN AN ABSOLUTE MAJORITY ON THE FIRST
BALLOT AGAINST THREE OTHER CONTENDERS,BUT TOOK 55 PERCENT

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OF THE VOTE IN THE RUN-OFF TO BECOME FIRST PRESIDENT OF THE NEW THIRD REPUBLIC. UNIVERSAL ADULT SUFFRAGE WAS RESPECTED. ONLY ONE UPPER VOLTAN-- FORMER PRESIDENT MAURICE YAMEOGO-- REMAINS DENIED POLITICAL RIGHTS. ALTHOUGH SOME MINOR VOTING IRREGULARITIES WERE CHARGED, THE SUPREME COURT DETERMINED AFTER REVIEW THAT BOTH THE LEGISLATIVE AND PRESIDENTIAL ELECTIONS WERE LEGAL, FAIR, AND VALID.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS.

THERE ARE NO KNOWN CLAIMS OF ALLEGED HUMAN RIGHTS VIOLATIONS IN UPPER VOLTA OR ANY REQUESTS BY INTERNATIONAL BODIES TO VISIT TO INSPECT HUMAN RIGHTS CONDITIONS. THE UPPER VOLTA GOVERNMENT WOULD PROBABLY ALLOW OUTSIDE INVESTIGATION OF ANY ALLEGED HUMAN RIGHTS VIOLATIONS, PROVIDED HONEST CONCERNS WERE EXPRESSED.

C. ANALYSIS AND RECOMMENDATIONS

UPPER VOLTA TAKES ITS HUMAN RIGHTS COMMITMENT SERIOUSLY, IS AWARE OF THE FAVORABLE IMPACT ITS PERFORMANCE HAS MADE ON THE INTERNATIONAL COMMUNITY AND ON NEIGHBORING STATES, AND WISHES TO CAPITALIZE ON ITS GOOD PERFORMANCE.

1. OUR LEGITIMATE OBJECTIVES OVER THE NEXT THREE, SIX AND TWELVE MONTHS IN RELATION TO HUMAN RIGHTS CONDITIONS IN UPPER VOLTA SHOULD LIE MORE IN THE DIRECTION OF DEMONSTRATING OUR AWARENESS AND SUPPORT FOR THE PROGRESS UPPER VOLTA HAS ALREADY MADE. THE EDITOR OF THE NATION'S ONLY INDEPENDENT NEWSPAPER COMMENTED IN A PRESS INTERVIEW DURING A RECENT VISIT TO THE U.S. THAT UPPER VOLTA SEEMS TO HAVE BEEN "SLIGHTED" BY THE U.S. DESPITE ITS UNIQUELY GOOD HUMAN RIGHTS RECORD AND ITS SUCCESSFUL TRANSITION TO DEMOCRATIC CIVILIAN GOVERNMENT. IN ACCORDANCE WITH STATE U.S. POLICY OF BEING AS READY TO REWARD LIMITED OFFICIAL USE

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GOOD PERFORMERS AS TO PUNISH VIOLATORS OF HUMAN RIGHTS, WE SHOULD TAKE SPECIFIC ACTIONS-- THROUGH POLITICAL, ECONOMIC DEVELOPMENT, AND OTHER SUPPORT-- TO FOSTER CONTINUED RESPECT FOR AND PROMOTION OF HUMAN RIGHTS IN UPPER VOLTA. THIS NATION IS ON AN EXEMPLARY PROGRESSIVE COURSE, AND WE SHOULD ACKNOWLEDGE, REWARD, AND ENCOURAGE ITS EFFORTS.

2. THE REACTION IN UPPER VOLTA TO U.S. HUMAN RIGHTS POLICIES-- AMONG GOVERNMENT, MEDIA, PUBLIC, RELIGIOUS FIGURES, AND OPPOSITION LEADERS-- IS UNIFORMLY POSITIVE AND SUPPORTIVE.
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